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Patent Docket P1085R6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Vanessa Hsei et al. Serial No.: 09/489,394 Filed: 21 January 2000 For: ANTIBODY FRAGMENT- POLYMER CONJUGATES AND USES OF SAME	Group Art Unit: 1642 Examiner: L. Helms CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on February 22, 2001 <i>Richard B. Love</i> Richard B. Love
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TERMINAL DISCLAIMER

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Your petitioner, Genentech, Inc., having a place of business at One DNA Way, South San Francisco, California 94080-4990 in the county of San Mateo, has reviewed the evidentiary documents set forth hereinbelow and certifies to the best of its knowledge and belief that title in and to the above-identified application and in the referenced applications U.S. Ser. Nos. 09/234,182 and 09/355,014 reside in Genentech, Inc.

Your petitioner, Genentech, Inc., represents that it is the sole owner of the entire right, title and interest in the invention disclosed and claimed in application U.S. Ser. No. 09/489,394, filed January 21, 2000, by virtue of the assignment recorded on October 3, 2000 at Reel 011202, Frame 0462, is the sole owner of the entire right, title and interest in the invention disclosed and claimed in application U.S. Ser. No. 09/234,182, filed January 20, 1999, by virtue of the assignment recorded on May 20, 1999 at Reel 010021, Frame 0349, and is the sole owner of the entire right, title and interest in the invention disclosed and claimed in application U.S. Ser. No.

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09/355,014, filed July 21, 1999, by virtue of the assignment filed in the U.S. Patent and Trademark Office on January 10, 2001 in connection with such application.

Your petitioner hereby disclaims the terminal part of any patent granted on application U.S. Ser. No. 09/489,394 or on any application that is entitled to the benefit of the filing date of this application under 35 USC §120 that would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent granted on application U.S. Ser. No. 09/234,182 or 09/355,014 and hereby agrees that any patent so granted shall be enforceable only for and during such period that the legal title to the patent so granted shall be the same as the legal title to any patent granted on application U.S. Ser. No. 09/234,182 or 09/355,014, this agreement to run with the patent so granted and to be binding upon the grantee, its successors or assigns.

Petitioners do not disclaim any terminal part of any patent granted on application U.S. Ser. No. 09/489,394 or on any application that is entitled to the benefit of the filing date of this application under 35 USC §120 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent granted on application U.S. Ser. No. 09/234,182 or 09/355,014 in the event that the latter patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I, Richard B. Love, am empowered to act on behalf of the assignee, Genentech, Inc., as an attorney for the company.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The Commissioner is authorized to charge the statutory fee of \$110.00 required for filing this Disclaimer to Deposit Account No. 07-0630. Please charge any deficiency or credit any overpayment to Account 07-0630. A duplicate of this sheet is enclosed.

Respectfully submitted,

GENENTECH, INC.

By: 

Richard B. Love
Reg. No. 34,659
Attorney for Genentech, Inc.